

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

International Application No. : PCT/EP2004/010397  
International Filing Date : 16 September 2004 (16.09.2004)  
Priority Date(s) Claimed : 18 October 2003 (18.10.2003)  
Applicant(s) (DO/EO/US) : Robert HAMMOND-SMITH

Title: BARRIER COATING COMPOSITION CONTAINING A LIQUID CRYSTALLINE POLYMER AS WELL AS A DEVICE CONTAINING THIS BARRIER COATING COMPOSITION

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

**Timing and Fees**

☒ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:

☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);

☒ within three months of the actual filing date of the national phase of a PCT application; OR

☐ before the mailing of a first substantive office action (including after filing of an RCE).

☐ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:

a final rejection under 37 C.F.R. 1.113;  
termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P. § 609(B)(2); OR  
a notice of allowance under 37 C.F.R. § 1.311; and

is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
- ☐ a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
- ☐ Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:
  - ☐ a final action under 37 C.F.R. § 1.113;
  - ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);
  - ☐ OR a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).

Statements Under 37 C.F.R. 1.97(e)

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. \_\_\_\_\_, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☒ Copies of materials listed but not attached were cited in an international search report dated January 20, 2005.
- ☐ Not required by 37 CFR § 1.98.
- ☐ Copies of the materials listed are attached (except for the foregoing).

Non-English Language References

- ☒ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).
- ☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:
- X = document of particular relevance when it is taken alone  
Y = document of particular relevance when it is combined with another such document  
A = document defining the general state of the art  
O = non-written disclosure  
P = intercalated document  
T = document cited to understand the theory or principle underlying the invention  
E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date  
D = cited in the application  
L = cited for another reason  
& = publication of member of same patent family
- ☐ Translation of other relevant information on foreign search report


Other InformationPayment of Fees Due (If Any):

- ☐ A check for \$\_\_\_\_\_ covering the fee identified above is attached.
- ☐ Please charge to Deposit Account No. 13-3402 \$\_\_\_\_\_ for the fee identified above.

AP20 Rec'd SECRET 17 APR 2006

☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

  
\_\_\_\_\_  
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Attorney Docket No.: MERCK-3152

Date: April 17, 2006

AJZ:ssr

Please type a plus sign (+) inside this box → ☐

1AP20 Rec'd PCT/PTO 17 APR 2006

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known, ☒ ☐ ☐ ☐

Application Number	USNP of PCT/EP2004/010397
Filing Date	16 September 2004 (16.09.2004)
First Named Inventor	Robert HAMMOND-SMITH
Group Art Unit	unknown
Examiner Name	unknown
Attorney Docket Number	MERCK-3152

U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	001	5,707,691	A	PLESTER, ET AL.	01-13-1998
	002	6,179,818	B1	KYDONIEUS, ET AL.	01-30-2001
	003	5,288,529	A	HARVEY, ET AL.	02-22-1994
	004	6,099,758	A	VERRALL, ET AL.	08-08-2000
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	006	2003/0080321	A1	FARRAND, ET AL.	05-01-2003
	007	2003/0190437	A1	VERRALL, ET AL.	10-09-2003

FOREIGN PATENT DOCUMENTS							
Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
	008	GB	2,379,931	A	MERCK PATENT GMBH	03-26-2003	
	009	GB	2,311,289	A	MERCK PATENT GMBH	09-24-1997	
	010	GB	2,329,899	A	MERCK PATENT GMBH	04-07-1999	004
	011	WO	97/00600	A	BASF AG	01-09-1997	005
	012	EP	1,247,797	A	MERCK PATENT GMBH	10-09-2002	006
	013	WO	98/04651	A	MERCK PATENT GMBH	02-05-1998	007
	014	WO	94/29386	A	SUOKAS, ET AL.	12-22-1994	

Examiner Signature	/Michele Jacobson/	Date Considered	06/12/2008
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /MJJ/